

C.F. = 15/1

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Single Bench

BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH AT

BILASPUR

Division Bench

M.A. NO. CC 154 OF 2006.

APPELLANT

NON-APPLICANT NO. 2

:- Branch Manager, T.P. Nagar, Korba
Through Branch Manager, United India
Insurance Company, Rajendra Nagar
Chowk, Bilaspur (C.G.).

VERSUS

RESPONDENTS

1. Hetram Sahu, aged about 39 years, son of
Mayaram Sahu,
2. Nonibai Sahu, aged about 38 years, wife
of Hetram Sahu (Dead)
3. Ku. Purnima, aged about 16 years, daug-
hter of Hetram Sahu,
4. Ku. Rekha, aged 14 years, daughter of
Hetram Sahu,
5. Ku. Geeta, aged about 10 years, daughter
of Hetram Sahu,

All resident of Village Jaijaipur, District
Janjgir-Champa (Chhattisgarh), present
Resident of Ramnagar, Lingiadih, Bilaspur
(Chhattisgarh),

CLAIMANTS

6. Vishwanath Chandra, aged 26 years, Son
of Rameshwar Chandra, permanent resid-
ent of Village Jaijaipur, District Janjgir
Champa (C.G.), present resident of
Bengalipara, Sarkanda, District Bilaspur
(Chhattisgarh),
(Owner of Yamaha Motorcycle no. C.G.

P.N. No. 1517/06
Presented by Sri. J.K. Singh
dated 22.7.06

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NON-APPLICANT NO. 1

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APPEAL UNDER SECTION 173 OF MOTOR VEHICLE ACT 1988.

मामला क्रमांक M.A.No.(C). 154/06 सन् 200

(26)

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>18.09.2006</u> Shri H. B. Agrawal, learned Sr. Counsel with Ku. Sangeeta Mishra, learned counsel for the appellant. Heard on admission. Learned counsel for the appellant submits that M.A. No. 708/2006 preferred by the appellant/Insurance Company against the impugned award arising out of the same accident has been dismissed by this Court vide order dated 19-6-2006. I have perused the impugned award and grounds of appeal. This appeal has been preferred by the appellant/Insurance Company only on the ground that the driver of the motor vehicle involved in the accident did not have driving licence at the time of accident. However the Insurance Company has failed to substantiate that plea by adducing any evidence, therefore, after considering the facts and circumstances of the case, I am of the opinion that the appeal is devoid of substance and merit and the same is dismissed at motion stage.	

Sd/-
Dhirendra Mishra
Judge

P.T.O.

18/9/06
2006